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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED 127

2006 JUN 16 PM 1 43

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 85-15646
	)	

I. FINDINGS OF FACT

On December 22, 2005, the Claimant of the above-captioned subcase filed a *Standard Form 4, Motion to File an Amended Notice of Claim*. The amended claim was necessary to renumber the claim from number 82-7005¹. The *Motion* was granted, and the *Notice of Claim* was filed for the above listed water right pursuant to I.C. § 42-1409. An *Amended Director's Report* was filed on March 29, 2006, recommending the elements of the water right. No objections were filed to the *Amended Director's Report*, and the time for filing objections has expired.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 85-15646 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated June 14, 2006.



THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

¹ Water right claim 82-7005 has been decreed disallowed.

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 85-15646

NAME AND ADDRESS: ALACCA BIBLE CONF ASSN OF ID
HCR 67 BOX 40
GRANGEVILLE, ID 83530

SOURCE: SOUTH FORK CLEARWATER RIVER CLEARWATER RIVER

QUANTITY: 0.70 CFS
18.00 AFY

PRIORITY DATE: 04/08/1970

POINT OF DIVERSION: T31N R04E S33 SENW Within Idaho County
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	0.07 CFS 18.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation T31N R04E S33 SENW 2.7 Within Idaho County
6.0 Acres Total NESW 3.3

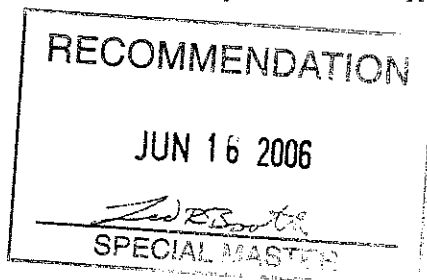
Right Nos. 85-15646 and 85-15647 are limited to the irrigation
of a combined total of 6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

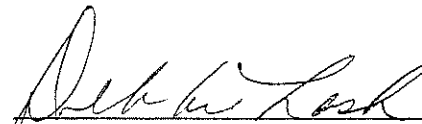
Water Right(s): 85-15646

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 16, 2006, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ALACCA BIBLE CONF ASSN OF ID
HCR 67 BOX 40
GRANGEVILLE, ID 83530
Phone: 208-983-1188



DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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In Re SRBA)
)
Case No. 39576)
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)

Water Right(s) : 85-15646

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.


DEBBIE LASH
Deputy Clerk